

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.1816 of 2018
Date of decision: 29.01.2018

Satish Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Parveen Kumar Rohilla, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

Petitioner was appointed ad hoc to the post of Sanskrit Teacher on 19.03.1996. His services were regularized w.e.f. 28.05.1998. Vide letter dated 26.07.2016, respondent No.2 requisitioned the names of all the eligible candidates for promotion to the post of Elementary School Headmaster. Petitioner too purports to have submitted his records vide memo dated 03.08.2016 as also vide email to the department on 30.07.2016. However, his case was kept pending. The post of Elementary School Headmaster is governed by the Haryana School Education (Group C) State Cadre Service Rules, 2012 and Rule 9 postulates the mode of recruitment. Petitioner claims to be eligible and have the requisite experience to be considered for promotion. Although, vide order dated 01.12.2016, the respondent-department has promoted as many as 50 Sanskrit teachers to the post in question, but claim of the petitioner has not been considered. And not just that, except the persons mentioned at serial No.1 to 5 in the order dated

01.12.2016, the rest are junior to the petitioner. Petitioner alleged to have even represented to the respondents in this regard, vide representation dated 07.12.2016 (Annexure P4). But to no avail.

That being so, the petition is disposed of, at this stage, only with a direction to respondents No.1 to 3 to consider and decide the claim of the petitioner as also his representation dated 07.12.2016 (Annexure P4) within a period of 8 weeks from the receipt of certified copy of this order. And pass appropriate orders in accordance with law. Needless to assert that in the event the claim of the petitioner is declined, the authority shall pass a comprehensive order assigning reasons in support thereof.

29.01.2018
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO